

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,
Plaintiff,
v.
EDWIN RAMON OSORIO-PENA,
Defendant.

CRIMINAL NO. 97-166 (CCC)
Defendant No. 01

**DEFENDANT EDWIN RAMON OSORIO-PENA'S URGENT MOTION
TO CONTINUE PRELIMINARY REVOCATION HEARING**

TO THE HONORABLE BRUCE J. MCGIVERIN
UNITED STATES MAGISTRATE JUDGE
DISTRICT OF PUERTO RICO:

COMES NOW the defendant **EDWIN RAMON OSORIO-PENA**, by and through his undersigned Counsel **RAMON M. GONZALEZ, ESQUIRE**, and respectfully moves for an order allowing a twenty (20) day continuance of the Preliminary Revocation Hearing set by the Court for July 20, 2007, at 9:00 a.m. (Docket # 148).

As grounds for this motion, the defendant submits that neither the United States nor Probation Officer August J. Castro has replied to this defendant's request, made under Fed. R. Crim. P. 32.1, for a complete disclosure of the evidence the United States intends to use against him at the revocation hearing. Apart from the fact that Rule 32.1 entitles the defendant to the evidentiary disclosure requested, it is imperative that the defendant receives this evidence prior to the revocation hearing in order to effectively evaluate his procedural options to request the presence of defense witnesses, question adverse witnesses, the opportunity to testify, and present mitigating information on his own behalf.

WHEREFORE it is respectfully requested that this Honorable Court grant a twenty-day continuance of the preliminary revocation hearing set by the Court for July 20, 2007, and issue an order directing the United States to disclose forthwith the information sought by defendant pursuant to *Federal Rule of Criminal Procedure 32.1 et seq.* .

I HEREBY CERTIFY that a true and exact copy of this document has been filed

1 through the Court's ECF/ECM which will send notification of this filing to all parties of
2 record.

3 **RESPECTFULLY SUBMITTED.**

4 In San Juan, Puerto Rico on this the 17th day of July 2007.

5
6 */s/ Ramon M. Gonzalez*
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